

United States District Court

for the

Eastern District of Michigan

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: SMITH, Michael

Case Number: 03-CR-80922-03

Name of Sentencing Judicial Officer: Honorable John Corbett O'Meara

Date of Original Sentence: April 6, 2004

Original Offense: Count 1: 21 U.S.C. §§ 841 and 846, Conspiracy to Distribute Cocaine Base

Original Sentence: Custody of the Bureau of Prisons for a term of 78 months, to be followed by a four-year term of supervised release, with the following special condition: If necessary, the defendant shall participate in a program approved by the probation department for substance abuse, which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol. Criminal Monetary Penalty: \$100.00 special assessment (paid).

Amended Sentence: September 30, 2008 Sentence reduced from 78 months custody to 63 months custody. All other conditions of the original judgment remain in full force and effect.

Type of Supervision: Supervised Release

Date Supervision Commenced: January 8, 2009

Assistant U.S. Attorney: J. Michael Buckley

Defense Attorney: To Be Determined

PETITIONING THE COURT

[X] To issue a summons to appear for a show cause hearing to be held on Wednesday, December 09, 2009, at 2:00 p.m.

The probation officer believes that the offender has violated the following conditions of supervised release:

Violation Number

Nature of Noncompliance

1

Violation of Mandatory Condition: "THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE OR LOCAL CRIME."

Violation of Mandatory Condition: "THE DEFENDANT SHALL NOT ILLEGALLY POSSESS A CONTROLLED SUBSTANCE."

Honorable John Corbett O'Meara
October 21, 2009
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RE: SMITH, Michael

On June 26, 2009, the offender was arrested by officers of the Highland Park Police Department and charged with Possession of Marijuana and Operating a Vehicle While License Suspended or Revoked. On June 27, 2009, the offender appeared in the 30th District Court, Highland Park, Michigan for a preliminary exam. On July 14, 2009, the offender appeared in the 30th District Court, Highland Park, Michigan, and was bound over to Third Judicial Circuit Court, Detroit, Michigan. He stood mute before the court at his arraignment on July 22, 2009. On August 18, 2009, the offender pled guilty to Controlled Substance, Delivery Manufacturing Marijuana, Docket No. 09-17496-01FH, before the Honorable Margie R. Braxton. On September 22, 2009, the offender was sentenced to two years probation with the following conditions: pay a fine in the amount of \$165.00; pay state costs in the amount of \$68.00; perform 50 hours of community service in lieu of court costs; pay crime victims right fee in the amount of \$60.00; obtain GED; seek and maintain employment, if necessary; attend Alcoholics Anonymous/Narcotics Anonymous, 90 meetings for 90 days, then six meetings each week for one year, then four meetings each week thereafter and show proof of attendance to the probation agent on demand.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 21, 2009

s/Andrea L. Brand
Senior U.S. Probation Officer
(313) 234-5133

ALB/dm

THE COURT ORDERS:

☒ The Issuance of a Summons
☐ Other

s/John Corbett O'Meara
United States District Judge

Date: November 04, 2009